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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,800	01/15/2002	Mario Festag	M&N-IT 204	4756

7590

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EXAMINER

HAMMOND, BRIGGITTE R

ART UNIT

PAPER NUMBER

2833

DATE MAILED: 12/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.  
10/047,800

Applicant(s)

Mario et al.

Examiner  
Brigitte R. Hammond

Art Unit  
2833



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Jan 15, 2002 is/are a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some\* c) ☐ None of:

1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

a) ☐ The translation of the foreign language provisional application has been received.

- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 6) ☐ Other:

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## DETAILED ACTION

### *Drawings*

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the slots running in an longitudinal direction must be shown or the feature canceled from the claim. No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. **The objection to the drawings will not be held in abeyance.**

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1,2,5,6 and 9 are rejected under 35 U.S.C. 102(e) as being anticipated by Branch

et al. Branch et al. disclose an housing shaped shielding plate body 100,120 having first and

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second regions, said first region having openings which allow electromagnetic waves to be coupled out of said plate body (see col. 8, lines 10-15).

Regarding claims 5 and 6, the slots run at an angle to the longitudinal direction of the body ( see figures 6 and 7) and the body has side faces (top and bottom when 100 and 120 mate).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3,4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Branch et al. in view of Brench et al. Branch et al. do not disclose the length of the slots being  $\lambda/2$  of the electromagnetic waves emitted. However, Brench et al. discloses that it is well known in the art to adjust openings to the wavelengths for prevention of electromagnetic radiation escaping from the high frequency processor area (see col.1, line 67- col. 2, lines 1-5). Therefore it would have been obvious to one of ordinary skill to modify the shield of Branch et al. by providing the length of the slots being  $\lambda/2$  of the electromagnetic waves emitted so that electromagnetic radiation will escape as taught by Brench et al.

Regarding claim 4, Branch et al. do not disclose the slots running in a longitudinal direction of the shielding body. However, Brench et al teach that it is well known in the art to adjust the openings for the purpose of radiations escaping.

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It would have been obvious to modify the Branch et al. invention by having the slots running in a longitudinal direction of the shielding body, since Branch et al teach that it is well known in the art to adjust the size of the openings for the purpose of allowing the EMI radiation to escape.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Branch et al. in view of Tillotson. Branch et al do not disclose an absorbing material for absorbing electromagnetic waves. However, Tillotson discloses the use of an absorbing material 100 for absorbing electromagnetic waves. Therefore, it would have been obvious to one of ordinary skill to modify the shield of Branch et al. by including an absorbing material for absorbing electromagnetic waves as taught by Tillotson.

### *Conclusion*

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Duncan et al. 6,459,517, Ferguson 6,147,299, Doye et al. 6,095,862 and Liptak et al. 6,066,001 were cited as similar shields and Powell 5,499,935 was cited for an absorbing material.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brigitte R. Hammond whose telephone number is (703) 305-0032.

The examiner can normally be reached on Monday - Thursday from 7:30 A.M. to 5:00 P.M. The examiner can also be reached on alternate Fridays.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0956.

Brigitte R. Hammond

December 2, 2002



RENEE LUEBKE  
PRIMARY EXAMINER